

sizes available in each printer to determine which single printer is most compatible with the entire print job.” The Examiner concedes that Fischer does not disclose these features, and instead relies on Fig. 3 and col. 6, lines 6-14, of Takise as disclosing a printer capable of “printing multiple sizes.” However, the Examiner has failed to iterate how the disclosure of such a printer may be combined with the disclosure of Fischer to achieve applicants’ claimed invention.

Specifically, the Examiner makes no assertion that Takise discloses or suggests an “obtaining unit” or a “comparator” as recited in claim 1. Consequently, the Examiner has failed to establish a *prima facie* case of obviousness (see MPEP 2143.03) because the rejection does not indicate that all of the limitations of claim 1 are taught by the cited references. Accordingly, claim 1 is allowable.

Claims 8 and 10 recite features substantially similar to those detailed above and are allowable for at least the same reasons as claim 1. Claims 2-6, 9 and 11 depend from allowable claims and are allowable due at least to their respective dependencies.

Claim 7 stands rejected under 35 USC 103(a) on Fischer in view of Takise and Shima (U.S. Patent No. 6,369,909). Applicants respectfully traverse this rejection.


Shima, which was cited as disclosing communication between printers, fails to overcome the deficiencies of Fischer and Takise detailed above. Consequently, claim 7, which depends from allowable claim 1, is allowable due at least to its dependency.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **325772026900**.

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